

REMARKS

Claims 1-10, 13, 17-26 and 28-101 are pending in the application.

Claims 1-10, 13, 17-26 and 28-101 stand rejected.

Claims 17-20, 22-26 and 39-66 have been amended.

Rejection of Claims under 35 U.S.C. §101

Claims 17, 21, 22, 39, 46, 54, 59, 67, 84 and 85 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. (Instant Office Action, p. 2.) However, Applicants believe that since claims 17, 22, 39, 46, 54, and 59 have been currently amended to include a limitation reciting a physical computer readable medium that these claims now satisfy the subject matter requirements of § 101. While the Instant Office Action did not state any reasons for the assertion that claims 21, 67, 84 and 85 are directed to non-statutory subject matter, Applicants submit that these claims satisfy the subject matter requirements of § 101 since they either recite computer readable mediums (21 and 85) or they recite in a standard means-plus-function format (67, 84).

Claims 17, 21, 22, 39, 46, 54, 59, 67, 84 and 85 stand rejected under 35 U.S.C. § 101 as not producing a useful, concrete and tangible result. (Instant Office Action, p. 3.) Applicants traverse this rejection. Applicants believe that the result requirements of § 101 are satisfied by claims 17, 21, 22, 39, 46, 54, 59, and 85 since these claims each recite software, which inherently produces useful, concrete, and tangible results. Examples of useful, concrete, and tangible results produced by the software of these claims include “obtain[ing] an event communicated,” “receiv[ing] an activation of the work item object,” “access[ing] a user interface object table,” “cause[ing] said processor to communicate,” “access[ing] the communication

channel table,” “receiv[ing] an activation of the user interface object,” “access[ing] the object table,” and “obtaining instructions to obtain an event communicated.” Applicants also believe that the result requirements of § 101 are satisfied by claims 67 and 84 since these claims recite in a standard means-plus-function format.

Thus, for at least these reasons, Applicants respectfully request that the Examiner withdraw these § 101 rejections.

*Rejection of Claims under 35 U.S.C. §102*

Claims 1-10, 13, 17-22, 24-26, 28-42, 45-64 and 66-101 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Beck, et al., U.S. Patent No. 6,332,154 (Beck). (Instant Office Action, p. 4.) Applicants traverse this rejection.

*Many Citations Are Concerned with the Customer Side of the Invention Disclosed in Beck*

Applicant’s invention concerns the agent, in-house, call center (“agent”) side of a communication system, not the customer side. However, while some citations from Beck are concerned with the agent side of the invention disclosed in Beck, many of the citations from Beck are concerned with the customer side of the invention. Thus the combination of all the citations from Beck leads to two problems: (1) the citations concerned with the customer side do not teach elements concerning the agent side, as required by claims 1, 13, 17, 19, 21, 22, 39, 46, 54, 59, 67, 84, and 85, and (2) the citations referenced from Beck (being from both the agent side and the customer side) cannot together teach any invention related to a single side.

Examples of citations from Beck concerned with the customer side are column 17, lines 22-40, and column 17, lines 40-52. There is at least one element of each of the independent

claims 1, 13, 17, 19, 21, 22, 39, 46, 54, 59, 67, 84, 85 such that each of these citations serves as sole support for an assertion that Beck teaches that element. For example, column 17, lines 22-40 is cited to support the assertion that Beck teaches (1) the element of *accessing a user interface object table* found in claims 1, 13, 17, 19, 21, 39, 59, 67, 84, and 85; and (2) the element of *a user interface object table* found in claims 22, 46, and 54. Likewise, column 17, lines 40-52 is cited to support the assertion that Beck teaches (1) the element of *identifying a command associated with activation of a command (or work) item object* found in claims 1, 13, 17, 19, and 21; (2) the element of *information regarding the user interface object comprising a command associated with activation of the user interface object* found in claims 22, 39, 46, 54, and 59; and (3) the element of *receiving activation of a command (work) item object of the user interface* found in claims 67, 84, and 85. These citations read as follows:

Section 137 presents media options for clients seeking customer service from the enterprise. These options are, in a preferred embodiment, presented in a customized or personalized fashion within *the client's window 133* as was described above. Therefore, each *client* patronizing the enterprise may access a version of window 133 that differs in look and functionality than that of another *client*. In this example, service section 137 contains options for e-mail, chat program, fax program, a self-help wizard, and a voice wizard. Other media types may be added or subtracted from *the client's window 133* depending on any of several criteria. Personalization of window 133 takes into account *client* information as stored in CINOS database 75, service-agent media availability and preferences, and perhaps any overriding enterprise rules. Unless and until a *client* is identified there are typically no options presented to the *client* for continuing a transaction with the enterprise. (Beck, column 17, lines 22-40.) (Emphasis Added.)

For an identified *client*, by selecting the e-mail option, the *client's* preferred e-mail program may be activated for the purpose of sending a message to or soliciting a reply from a service agent. By selecting chat program, the *client* may be launched into a scheduled service seminar featuring many *clients* interacting with a service expert regarding a certain subject. One enterprise rule regarding section 137 may be that there is no telephone or I-phone media option for customer service for a client in the absence of an ongoing project with the particular customer. In this sense an ongoing project includes any unfinished business that the *client* is involved in with the enterprise. (Beck, column 17, lines 40-52.) (Emphasis Added.)

It is clear from the italicized portions of these citations, referring to the *client* and *the client's window*, that these citations refer to the customer side of the invention disclosed in Beck, not the agent side (as in the claimed invention).

For at least these reasons the Applicant's request that the Examiner withdraw this § 102 rejection against claims 1-10, 13, 17-22, 24-26, 28-42, 45-64 and 66-101 (the independent claims 1, 13, 17, 19, 21, 22, 39, 46, 54, 59, 67, 84, and 85 together with their rejected dependent claims).

Element of Issuing Command to *Outgoing* Channel Not Taught

Moreover, Beck fails to teach all the elements of the claimed invention notwithstanding the foregoing infirmities. Claims 1, 13, 17, 19, 67, 84, and 85 contain an element requiring that a channel driver issue a command to an *outgoing* communication channel. The interface command module 341 discussed at column 48, lines 15-30 of Beck is cited against each of these claims to support the assertion that Beck teaches this element. However, the interface command module 341 interfaces with other CINOS systems and not to an *outgoing* channel. Column 48, lines 15-30 of Beck states:

An interface command module 341 may be installed for the purpose of accomplishing an *interface to other CINOS systems such as routing, messaging, out-dialing, automated services, and so on*. A display function module 343 allows an interactive picture of the newly created thread, as organized and built via modules 339 and 337, to be displayed on a PC/VDU such as the researcher's PC 322. The display may, in one embodiment, appear as an actual tree or thread connecting various interactive icons representing dialog and associated hard media. In another embodiment, the display may be a simple list of interactive text titles. The nature of interaction with the display is such that by manipulating the interactive icons with a pointer device, or by entering certain keyboard commands, full text and hard media may be accessed and viewed by researcher 320 from PC 322. (Emphasis Added.)

For at least this reason Applicant's request that the Examiner withdraw this § 102 rejection against claims 1-10, 13, 17-20, 28-35, and 67-101 (the independent claims 1, 13, 17, 19, 67, 84, and 85 together with their rejected dependent claims).

Distinct Citations Cannot Refer to the Same Channel Driver

Claims 1, 13, 17, 19, 22, 67, 84, and 85 contain (1) an element requiring accessing a command table to identify a channel driver and (2) an element requiring the channel driver to issue a command to a communication channel. The drivers of Module 445, as discussed in Beck beginning at column 62, line 63 to column 63, line 5, are cited against each of these claims relative to the first of these elements. The interface command module 341, as discussed at column 48, lines 15-30 of Beck, is cited against each of these claims relative to the second of these elements.

However, Module 445 is a module of the self-help wizard 423 of FIG. 20, whereas the interface command module 341 is a module of the Specialized Threading Model (STM) 319 of FIG. 16, which is "a unique programmable event handler." (Beck, column 44, lines 45-57, column 45, lines 8-17.) Since the self-help wizard 423 and the Specialized Threading Model 319 are distinct entities, performing distinct functions, of the invention disclosed in Beck, it is not the case that either the interface command module itself or drivers associated with the interface command module (none of which are mentioned in the relevant citation) could perform as a driver for Module 445 of the self-help wizard 423. Thus even if, for the sake of argument, column 48, lines 15-30 of Beck did teach a channel driver issuing a command to a communication channel, the channel driver so taught would not be the same channel driver as any channel driver that may be taught by column 62, line 63 to column 63, line 5 of Beck.

Therefore, the Instant Office Action has failed to show that Beck teaches a command table that identifies a channel driver which issues a command to a communication channel, as required by the above-mentioned two elements of claims 1, 13, 17, 19, 22, 67, 84, and 85.

For at least this reason Applicant's request that the Examiner withdraw this § 102 rejection against claims 1-10, 13, 17-20, 22, 24-26, 28-38, and 67-101 (the independent claims 1, 13, 17, 19, 22, 67, 84, and 85 together with their rejected dependent claims).

Thus, Applicants respectfully request full withdrawal of this § 102 rejection for at least the reason that many of the citations offered in the Instant Office Action are concerned with the customer side of the invention disclosed in Beck, but Applicants further believe that many of the claims thereby rejected are allowable for other failures of the citations offered in support of the assertion that Beck teaches these claims

*Rejection of Claims under 35 U.S.C. §103*

Claims 23, 43, 44, 57 and 65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Beck, et al., U.S. Patent No. 6,332,154 (Beck) in view of Judkins, et al., U.S. Patent No. 6,587,556 (Judkins). Applicants traverse this rejection.

Since claim 23 is dependent upon allowable base claim 22 (see above), claims 43 and 44 are dependent upon allowable base claim 39 (see above), claim 57 is dependent upon allowable base claim 54 (see above), and claim 65 is dependent upon allowable base claim 59, Applicants respectfully request that Examiner withdraw this § 103 rejection.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 28, 2007.

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